

HEARING SCHEDULE

Hearings set for Wednesday, May 6, 2015

Type of Hearing	Name of Entity	Time	Class
1) Show Cause	Todd Heyen "Bullet Hole Bar & Grille" 420 1 st Street Utica NE 68456	10:00	C-099275

why the license should not be cancelled for non-use, i.e., the licensee has failed to operate the license for a total of thirty continuous days or sixty total days in violation of 237-LCC6-020.03 of the Rules and Regulations of the Nebraska Liquor Control Commission.

CANCEL LICENSE

2) Show Cause	Firehouse Bar LLC "Lucky 7 Saloon" 418 W 4 Street Grand Island NE 68801	10:00	C-086044
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why the license should not be cancelled for non-use, i.e., the licensee has failed to operate the license for a total of thirty continuous days or sixty total days in violation of 237-LCC6-020.03 of the Rules and Regulations of the Nebraska Liquor Control Commission.

CANCEL LICENSE

3) Show Cause	Heather R. Cole "Smitty's" 344 Lincoln Street Riverton NE 68972	10:00	C-111558
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why the application should not be denied and a license issued due to character and reputation i.e., applicant listed the following convictions:

- 9/10 – Leave accident fail to furnish info
- Date unknown – Criminal mischief
- Date unknown – Possess/consume open alcohol container

Additionally, applicant was licensed at this location from October 2009 until license was cancelled by the Commission on September 29, 2014. Furthermore, Investigator requests a show cause hearing due to applicant's ability to comply with all aspects of the Nebraska Liquor Control Act.

APPLICATION DENIED

4) Show Cause Angela M. Withrow 10:00 I-111532
 "Unfiltered 3"
 513 Ella Street
 Beatrice NE 68310

why the application should not be denied due to character and reputation and falsification i.e., applicant Angela M. Withrow failed to disclose any convictions. However, Investigator's report indicates Withrow has multiple traffic convictions; a felony conviction that has been set aside, and has continued to have contact with DHHS regarding her children. Additionally, she has extensive financial civil judgements that are unresolved; has been jailed for perjury; and has had her driver's license suspended and a warrant issued for failing to comply with the courts.

APPLICATION APPROVED SUBJECT TO NEW LEASE AND WITH CONDITION OF NO BUSINESS ALCOHOL RELATED VIOLATIONS FOR ONE (1) YEAR FROM DATE OF THE ORDER

5) Show Cause The Wheelhouse Pub & Patio Inc. 11:15 C-111572
 "Wheelhouse Pub & Patio"
 114 E 5 Street
 Wahoo NE 68066

why the application should not be denied and a license issued due to character and reputation and falsification of the application i.e., applicant listed traffic violations and open container. However, Investigator's report indicates applicant failed to disclose the following:

- 10/06 – No motorcycle operator's license
 No helmet
- 4/06 – Disobey Traffic Control Sign/Device
- 12/99 – Speeding
 No valid operator's license
- 5/98 – Open container
 Negligent driving
- 6/97 – No life preserver on board

Additionally, Investigator requests a show cause hearing to determine if the applicant has demonstrated the type of management and control that can be exercised over the premises described in the application will be sufficient to insure the licensed business can conform to all provisions, requirements, rules, and regulations adopted by the Liquor Control Act.

APPLICATION APPROVED

6) Application	Hollywoods LLC	1:15	CK-111535
Local Denial &	"The Filling Station"		
Show Cause	217 E Stolley Park Road, Suite N		
	Grand Island NE 68883		

whether or not the application should be approved due to character and reputation and falsification of the application, i.e., applicant Tyson Juhl disclosed the following:

- 3/96 – No Operator's license
- 11/98 – Speeding, DUI, Obstructing Juvenile
- 4/00 – MIP
- 9/00 – Speeding
- 10/00 – Acts declared unlawful
- 8/01 – MIP
- 9/04 – No proof of insurance
- 6/05 – Unlawful display of plates
- 1/07 – Improper/defective lighting
- 8/10 – Speeding
- 5/13 - DUI

Furthermore, Investigator has requested a show cause hearing based on financial irresponsibility and false information on the application.

APPLICATION DENIED

7) Sale to Minor	Little Pauls Inc.	1:15	D-061654
(Formal Hearing)	"Mr. Butts Tobacco & Snacks"		
	5702 S 36 Street		
	Omaha NE 68107		

PLEAD GUILTY – SEVEN (7) DAYS SUSPENSION + TRAINING

8) Sale to Minor	JML Inc.	1:15	D-082134
(Formal Hearing)	"La Economica"		
	5520 S 36 Street		
	Omaha NE 68107		

CONTINUED TO JUNE

9) Sale to Minor	Pipeline Inc.	1:15	I-018067
(Formal Hearing)	"Pipeline Tavern"		
	1300 S 72 Street		
	Omaha NE 68124		

PLEAD GUILTY – TEN (10) DAYS SUSPENSION + TRAINING

10) Disturbance	Rena Inc.	1:15	C-102344
(Formal Hearing)	"The Foxy"		
	1823 O Street		
	Lincoln NE 68508		

CONTINUED TO JUNE

11) Appeal	San Pedro Inc.	2:30	I-067018
RE: City of Kearney	“San Pedro Mexican Restaurant”		
Recommendation of	3907 Central Avenue		
Cancellation	Kearney NE 68847		

SUSTAINED THE APPEAL & REVERSED THE CANCELLATION

HEARING SCHEDULE

Hearings set for Thursday, May 7, 2015

Type of Hearing	Name of Entity	Time	Class
12) Show Cause	The 108 LLC "The 1-0-8" 5059 S 108 th Street Omaha NE 68137	9:00	C-111538

why the application should be approved and a license issued due to character and reputation and falsification, i.e., Investigator has concerns about who is actually going to manage the operations of the business.

CONTINUED TO JUNE

13) Sale to Minor (Formal Hearing)	RT Omaha Franchise LLC "Ruby Tuesday" 16831 Lakeside Plaza Omaha NE 68130	9:00	I-062690
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PLEAD GUILTY – TWELVE (12) DAYS SUSPENSION + TRAINING

14) Sale to Minor (Formal Hearing)	Buck's Inc. "Bucky's Express 38" 13736 Q Street Omaha NE 68137	9:00	D-103283
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PLEAD GUILTY – TEN (10) DAYS SUSPENSION + TRAINING

15) Sale to Minor (Formal Hearing)	Q La Mesa Corporation "La Mesa Mexican Restaurant" 5055 S 155 Street Omaha NE 68137	9:00	C-083692
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FOUND GUILTY – TEN (10) DAYS SUSPENSION

16) Sale to Minor (Formal Hearing)	Casey's Retail Company "Casey's General Store 2985" 5120 S 118 Street Omaha NE 68137	9:00	B-092579
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PLEAD GUILTY – TWELVE (12) DAYS SUSPENSION + TRAINING

17) Sale to Minor (Formal Hearing)	Chrysler Café Inc. "Olympic Lounge/Whiskey Tango" 1419-1421 Farnam Omaha NE 68102	9:00	CK-001287
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CONTINUED TO JUNE

18) Mandatory Meeting RE: Disturbance	Elite Lounge & Grille Inc. "Rehab Lounge" 2615 S 120 Street Omaha NE 68144	10:15	C-091150
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19) Show Cause	Elite Lounge & Grille Inc. "Rehab Lounge" 2615 S 120 Street Omaha NE 68144	10:15	C-091150
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why the license should not be suspended, cancelled or revoked for failure to appear at a mandatory meeting that was scheduled for Wednesday, April 1, 2015 at 10:15 a.m.

DISMISSED

20) Application Local Denial & Show Cause	Paso Holdings LLC "Red Carpet Inn" 9305 S 145 Omaha NE 68138	9:00	C-083715
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whether or not the manager's application should be approved due to character and reputation and falsification of the manager's application, i.e., applicant Scott Gunderson disclosed the following:

- Assault & Violation Protection Order (unsure of dates)

However, the following were discovered by Investigator but not disclosed by applicant:

- 9/96 – Assault & Battery
- 12/97 – Violate Protection Order
- 1/98 – Violation Protection Order
- 10/08 – Operate or Park Unregistered Vehicle
- 10/09 – DUS
- 1/10 – DUS
- 4/10 – DUS

Investigator also discovered a desertion from US Army in 1985. Furthermore, Investigator has requested a show cause hearing based on character and reputation and whether applicant is eligible under 53-125 of the Nebraska Statutes due to possible disqualifying conviction.

**MANAGER'S APPLICATION APPROVED WITH CONDITION OF TRAINING FOR MANAGER
APPLICANT SCOTT GUNDERSON**

21) Sale to Minor (Formal Hearing)	West Mart Inc. "West Mart" 11202 Richland Drive Papillion NE 68138	10:15	B-023236
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CONTINUED TO JUNE

22) Sale to Minor (Formal Hearing)	A Better Catering Solution Inc. "That Place Eatery" 11212 Richland Drive Omaha NE 68138	10:15	CK-098250
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PLEAD GUILTY – TWELVE (12) DAYS SUSPENSION + TRAINING

23) Sale to Minor (Formal Hearing)	KB & Sons Inc. “KB’s Food Shop” 304 S Washington Street Papillion NE 68046	10:15	D-068310
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PLEAD GUILTY – TEN (10) DAYS SUSPENSION + TRAINING

24) Sale to Minor (Formal Hearing)	American Legion Post 216 “Gretna American Legion 216” 11690 S 216 Street Gretna NE 68028	10:15	C-005637
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PLEAD GUILTY – SEVEN (7) DAYS SUSPENSION + TRAINING

25) Sale to Minor (Formal Hearing)	Twisters Bar & Grill Inc. “Twisters Bar” 20588 Hwy 370 Gretna NE 68028	10:15	C-106696
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PLEAD GUILTY – TWELVE (12) DAYS SUSPENSION + TRAINING

26) Show Cause	1702 Restaurant LLC “1702 Restaurant” 1702 Cuming Street Omaha NE 68102	1:15	CK-111527
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whether or not the application should be approved and a license issued due to the premise being located within 150' of a church.

APPLICATION APPROVED WITH CONDITION OF NO OFF SALE AT THE PREMISE LOCATION